

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERYL RAK,

Plaintiff,

Civil Action No. 12-13801
Honorable Sean F. Cox
Magistrate David R. Grand

v.

SAXON MORTGAGE SERVICES,
INC. and OCWEN LOAN
SERVICING, LLC,

Defendants.

**REPORT AND RECOMMENDATION TO DENY AS MOOT DEFENDANT OCWEN
LOAN SERVICING, LLC'S MOTION FOR JUDGMENT ON THE PLEADINGS [27]**

Before the Court is Defendant Ocwen Loan Servicing, LLC's ("Ocwen") Motion for Judgment on the Pleadings [27], referred to this Court for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). [32]. On November 1, 2013, Ocwen and the Plaintiff entered into a Stipulated Order of Dismissal which dismissed with prejudice all of Plaintiff's claims against Ocwen. [42]. Accordingly, the Court **RECOMMENDS** that Ocwen's Motion for Judgment on the Pleadings [27] be **DENIED AS MOOT**.

Dated: January 17, 2014
Ann Arbor, Michigan

s/David R. Grand
DAVID R. GRAND
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties to this action may object to and seek review of this Report and Recommendation, but are required to act within fourteen (14) days of service of a copy hereof as

provided for in 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of HHS*, 932 F.2d 505, 508 (6th Cir.1991); *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir.1981). The filing of objections which raise some issues, but fail to raise others with specificity, will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Secretary of HHS*, 931 F.2d 390, 401 (6th Cir.1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir.1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this magistrate judge. A party may respond to another party's objections within 14 days after being served with a copy. See Fed. R. Civ. P. 72(b)(2); 28 U.S.C. §636(b)(1). Any such response should be concise, and should address specifically, and in the same order raised, each issue presented in the objections.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record via email addresses the court has on file.

s/Felicia M. Moses
FELICIA M. MOSES
Case Manager

Dated: January 17, 2014